

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

OSCAR PEREZ-LOPEZ,)
Petitioner,)
v.) CIVIL ACTION NO. 12-597-KD-M
UNITED STATES OF AMERICA,)
Respondent.) CRIMINAL ACTION NO. 04-229-KD-M

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated June 6, 2013 (Doc. 99) is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Respondent's Motion to Dismiss (Doc. 96) is **GRANTED**, that Petitioner's Motion to Vacate (Docs. 93-94) is **DENIED**, and that this action is **DISMISSED**. It is further **ORDERED** that any certificate of appealability filed by Petitioner be **DENIED** as he is not entitled to appeal *in forma pauperis*.

DONE and **ORDERED** this the 10th day of **July 2013**.

/s/ Kristi K. DuBose
KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE